



City of El Paso – City Plan Commission Staff Report

Case No: SUSU12-00096 El Cruzero Subdivision
Application Type: Major Combination
CPC Hearing Date: December 6, 2012
Staff Planner: Nathaniel Baker, (915) 541-4192, bakernt@elpasotexas.gov
Location: North of Montana Avenue and east of Joe Battle Boulevard
Acreage: 19.6 acres
Rep District: 5
Existing Use: Vacant
Existing Zoning: C-4 (Commercial)
Proposed Zoning: C-4 (Commercial)
Nearest Park: Tierra Del Este 18 Park (0.8 mile)
Nearest School: Hurshel Antwine Elementary (1.3 miles)
Park Fees Required: \$19,610
Impact Fee Area: N/A
Property Owner: AP El Paso, LLC
Applicant: Conde Inc.
Representative: Conde Inc.

SURROUNDING ZONING AND LAND USE

North: C-4 (Commercial) / Undeveloped
South: C-4/c (Commercial/condition) / Big-box retail
East: M-1 (Manufacturing) / Vacant
West: C-1 (Commercial) / Vacant

PLAN EL PASO DESIGNATION: Traditional Neighborhood (Walkable)

APPLICATION DESCRIPTION

The applicant proposes to subdivide 19.6 acres into four lots for commercial uses. Access is proposed from Montana Avenue. This application is being reviewed under the subdivision code in effect prior to June 1, 2008.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of El Cruzero Subdivision on a Major Combination basis and subject to the following conditions and requirements:

Planning Division Recommendation

Because the application complies with Title 19 regulations of the code in effect prior to June 1, 2008, Planning recommends **approval**.

1. The developer shall install sidewalks, curbs and accessible ramps within the existing ROWs along the property lines of the subdivision. (Improvements along Montana are subject to the approval of TxDOT).
2. Justice is designated as a minor arterial in the city's Major Thoroughfare Plan. Currently, there exists 90' ROW and 36' of pavement on Justice.
3. Per the TIA, a right-turn lane southbound on Justice shall be improved to City standards by developer.
4. The TIA indicates that the developer has a rough proportional share of additional traffic mitigation. The subdivider shall contribute to the city their proportional share of an amount of money for the traffic improvements required. See Department of Transportation comments.

City Development Department - Land Development

No Objection

Parks and Recreation Department

Please note that this subdivision is zoned "C-4" thus meeting the requirements for Multi-family dwellings use with a minimum lot area of 750 sq. ft. per dwelling however, preliminary covenants have been provided restricting the use to general commercial purposes only therefore, "Park fees" will be assessed based on this restriction as follows:

1. **If** gross density waiver is granted by the Planning Department or designee and final covenants are provided restricting all residential uses, then applicant shall be required to pay "park fees" in the amount of **\$19,610.00** calculated as follows:

Non-residential acreage 19.61 (rounded to two decimals) @ \$1,000.00 per acre =
\$19,610.00

Please allocate generated funds under adjacent Park Zone: **E-7**

Nearest Parks: **Tierra Del Este #18** & **Tierra Del Este #30**

If density/acreage is increased /decreased or the property zoning /use changes, then "Parkland /fees" will be re-assessed based on applicable conditions.

El Paso Water Utilities

1. EPWU does not object to this request.
2. EPWU has coordinated and agreed with Owner/Developer of the property for the construction of water and sanitary sewer mains that will provide ultimate service to the subject property as shown by the attached Letter Agreement dated November 15, 2012 which is incorporated by this reference for all purposes. Construction of these mains will proceed in parallel with the development of the property.

EPWU Comments:

Water:

3. There is an existing 24-inch diameter water transmission main located along the south side of Montana Avenue. No direct service meter connections are allowed to this 24-inch water main as per the El Paso Water Utilities-Public Service Board Rules and Regulations.

4. There is an existing 12-inch diameter water main along the west side of Justice Drive. There is also an exiting 12-inch diameter water stub-out connected to this main that extends towards the west.

Sanitary Sewer:

5. There is an existing 12-inch diameter gravity sewer main along the north side of Montana Avenue that extends west from the Jail Annex property to the Lift Station located within the subject property approximately.

6. There is an existing 12-inch diameter sanitary sewer force main along Montana Avenue that extends west from the Lift Station referenced above to Michael Drive. No service connections are allowed to this 12-inch diameter force main.

7. There is an existing 12-inch diameter gravity sewer main within the subject property located along the 30-foot wide PSB easement. This sewer main extends west from Justice Street to the Lift Station referenced above. Also, there is an existing 12-inch diameter sanitary sewer main along Justice Street Road that extends north from Montana Avenue and front the subject subdivision.

8. A 12-inch diameter sewer main extension is required within the existing 30-foot wide PSB easement from the western property line eastwards to the proposed large diameter sewer main described above. Owner is to grade the property to allow sanitary sewer flow by gravity towards Montana Avenue and Justice Road.

General:

9. Annexation fees are due at the time of new service application for individual water meters within the subject subdivision.

10. All easements dedicated for public water and sanitary sewer facilities shall comply with the EPWU-PSB Easement Policy. The PSB easements shall be improved to allow the operation of EPWU maintenance vehicles. EPWU-PSB requires access to the proposed sanitary sewer facilities within the easement 24 hours a day, seven (7) days a week. No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB) without the written consent of EPWU-PSB.

11. Montana Avenue is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Montana Avenue right-of-way requires written permission from TxDOT.

12. EPWU requires a new service application to initialize design of the water and sanitary sewer main extensions to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat with street names and addresses; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB

Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

EPWU Stormwater Division

No comments received.

Sun Metro

Sun Metro recommends the placement of sidewalks and ADA compliant improvements throughout the development to City standards to provide pedestrian accessibility to mass transit services.

El Paso Department of Transportation

Required coordination with City of El Paso Department of Transportation, (915) 621-6480 for the following improvements specified in the TIA. The applicant shall provide 90 days advance notice prior to the request for the design and construction of improvements.

- Install right turn overlap for westbound and eastbound approach at Tierra Este/Justice and Montana. **Cost \$1,560.**
- Modify existing phasing to diamond TTI phasing at Montana and LP 375. **Cost \$735.**
- Improve signal operations along Montana within the study area. **Cost \$1,225**
- Install right turn bay on the northbound approach at Tierra Este and Montana. **Cost \$4,680.**

Texas Department of Transportation

TxDOT has the following comments regarding the aforementioned TIA:

1. Drainage requirements may also be needed for the proposed improvements.
2. Need to reflect any recommendations for the year 2018, if any. If none please state that the 2013 and 2015 recommendations suffice for 2018 also.
3. TxDOT understands that the Carmike Cinemas developer may also acquire the El Cruzero development. Hence for access management considerations TxDOT would request to view the Master Plan for all access requests.
4. Lastly, at this point in time TxDOT has not identified any funding for any of the proposed improvements.

El Paso Fire Department

No comments received.

911

No comments received.

Central Appraisal District

No comments received.

El Paso Electric Company

No comments received.

Texas Gas Company

No comments received.

School District

No comments received.

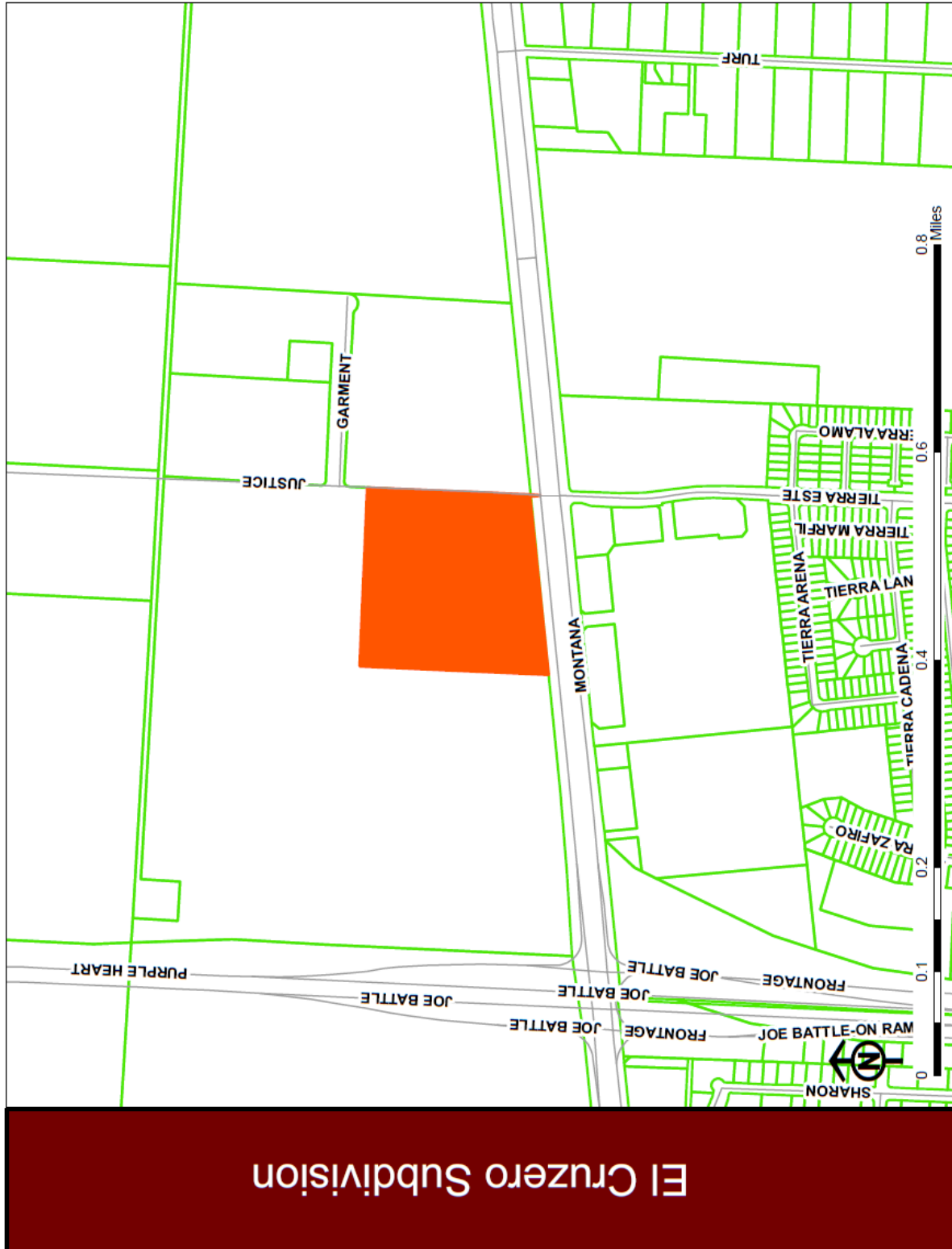
Additional Requirements and General Comments:

1. Submit to the City Development Department – Planning Division the following prior to recording of the subdivision.
 - a. Current certified tax certificate(s)
 - b. Current proof of ownership
 - c. Release of access document, if applicable
 - d. Set of restrictive covenants, if applicable
2. Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.

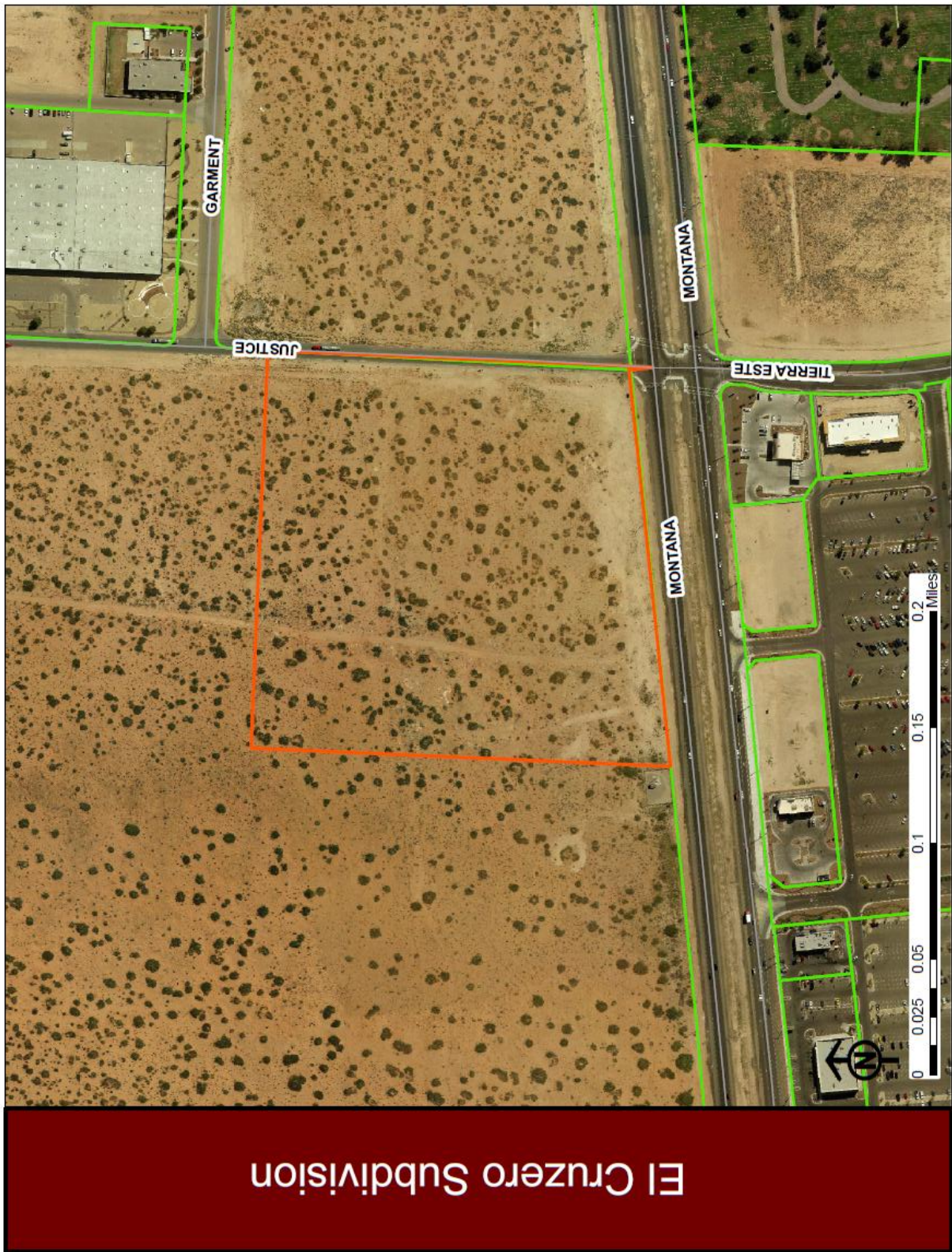
Attachments

1. Location map
2. Aerial map
3. Preliminary Plat
4. Final Plat
5. Application

ATTACHMENT 1



ATTACHMENT 2





ATTACHMENT 5



CITY PLAN COMMISSION APPLICATION FOR MAJOR SUBDIVISION COMBINATION APPROVAL

DATE: November 20, 2012

File No. SUSU12-00096

SUBDIVISION NAME: El Cruzero Subdivision

1. Legal Description for the area included on this plat (Tract, Block, Grant, etc.)
Being a Portion of Tracts 6A, Section 33, Block 79, Township 2, Texas and Pacific Railway Company
Surveys, City of El Paso, El Paso County, Texas

2. Proposed Land Uses:	ACRES	SITES		ACRES	SITES
Single-family	_____	_____	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	_____	_____	Ponding & Drainage	<u>1.227</u>	<u>1</u>
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____		_____	_____
School	_____	_____		_____	_____
Commercial	<u>18.385</u>	<u>3</u>	Total No. Sites	<u>4</u>	
Industrial	_____	_____	Total Acres (Gross) & Sites	<u>19.612</u>	

3. What is existing zoning of the above described property? C-4 Proposed zoning? n/a
4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes _____ No _____ n/a
5. What type of utility easements are proposed? Underground _____ Overhead _____ Combination of Both X
6. What type of drainage is proposed? (If applicable, list more than one)
Lots to pond
7. Are special public improvements proposed in connection with the development? Yes _____ No X
8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes _____ No X
If answer to is "Yes", please explain the nature of the modification or exception _____
9. Remarks and/or explanation of special circumstances: _____
10. Improvement Plans submitted? Yes _____ No X
11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes _____ No X
If yes, please submit a vested rights petition in accordance with Section 19.47-Vested Rights (See Attached).

12. Owner of record Frank Michersano AP EI Pco LLC 75251 214 6839458
 Cesar J. Vramontes P.O. Box 9777 El Paso, TX 79995 915-592-0283
 (Name & Address) (Zip) (Phone)

13. Developer _____
 (Name & Address) (Zip) (Phone)

14. Engineer CONDE INC. 6080 Surety Dr., Suite 100 79905 915-592-0283
 (Name & Address) (Zip) (Phone)

CASHIER'S VALIDATION
 FEE: \$2,088.00

OWNER SIGNATURE: _____

Cesar J. Vramontes
Frank Michersano
Anthony AP EI Pco LLC

REPRESENTATIVE: _____

Conrad Conde

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT
 REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS